

IPW 2664

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: R. Czerwiec et al

Serial No: 09/ 942,388

Group No.: 2664

Filed: August 29, 2001

Examiner: Bin Quoc Nguyen

For: Telecommunications Rack Including Shelves with  
Nonredundant Backplanes Used Redundantly

Commissioner of Patents and Trademarks  
Washington, D.C. 20231

TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT BEFORE  
MAILING DATE OF EITHER A FINAL ACTION OR NOTICE  
OF ALLOWANCE (37 CFR 1.97(c))

NOTE: "An information disclosure statement shall be considered by the Office if filed . . . before the mailing date of either (1) a final action under § 1.113 or (2) a notice of allowance under § 1.311, whichever occurs first, provided the statement is accompanied by either a certification as specified in paragraph (e) of this section or the fee set forth in § 1.17(p)." 37 CFR 1.97(c).

NOTE: "If a final action or notice of allowance is mailed in an application and later withdrawn, the application will be considered as not having had a final action or notice of allowance mailed for purposes of considering an information disclosure statement." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

NOTE: Next Action:

(a) Certification:

"If information submitted during the period set forth in 37 CFR 1.97(c) with a certification is used in a new ground of rejection on unamended claims, the next Office action will not be made final since in this situation it is clear that applicant has submitted the information to the office promptly after it has become known and the information is being submitted prior to a final determination on patentability by the Office. However, the information submitted with a certification can be used in a new ground of rejection and the next Office action made final, [i]f the new ground of rejection was necessitated by amendment of the application by applicant."

(b) Fee:

"Where the information is submitted during this period with a fee, the examiner may use the information submitted, e.g., printed publication or evidence of public use, and make the next Office action final whether or not the claims have been amended, provided that no other new ground of rejection which was not necessitated by amendment to the claims is introduced by the examiner. See MPEP 706.07(a). If a new ground of rejection is introduced that is neither necessitated by an amendment to the claims nor based on the information submitted with the fee set forth in 37 CFR 1.17(p), the Office action shall not be made final." Notice of April 20, 1992 (1138 O.G. 37-41, 39).

CERTIFICATE OF MAILING (37 CFR 1.8a)

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Commissioner of Patents and Trademarks, Washington, D.C. 20231.

Margery B. Hood

(Type or print name of person mailing paper)

Date: Sept. 6, 2005

Margery B. Hood  
(Signature of person mailing paper)

(Transmittal of Information Disclosure Statement Before Mailing Date of Either A Final  
Action Or Notice of Allowance [6-4]—page 1 of 3)



**TIME OF TRANSMITTAL OF ACCOMPANYING INFORMATION  
DISCLOSURE STATEMENT**

1. The information disclosure statement transmitted herewith is being filed *after* three months of the filing date of this national application or the date of entry of the national stage as set forth in § 1.491 in an international application or after the mailing date of the first Office action on the merits, whichever event occurred last but *before* the mailing date of either:
- (1) a final action under § 1.113 or  
(2) a notice of allowance under § 1.311,  
whichever occurs first.

**CERTIFICATION OR FEE**

2. Accompany this transmittal is

*(check either A or B below)*

- A. ☐ a certification as specified in 37 CFR 1.97(e)

**OR**

- B. ☒ the fee set forth in 37 CFR 1.17(p) for submission of an information disclosure statement under § 1.97(c). (~~\$180.00~~).

**FEE PAYMENT**

*(complete this item if applicable)*

3. Applicant elects the option to pay the fee set forth in 37 CFR 1.17(p) for submission of an information disclosure statement under § 1.97(c) (~~\$180.00~~).

Fee due \$ 180.00

**METHOD OF PAYMENT OF FEE**

4.

- ☒ attached is check in the amount of \$ 180.00  
☐ charge Account No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_

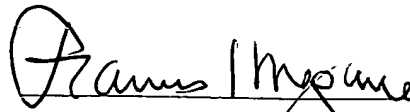
A duplicate of this request is attached.

If any additional fees are due, please charge Account 23-0442

Reg. No. 31,391

Tel. No.: (203) 261-1234

Customer No. 004955



SIGNATURE OR ATTORNEY

Francis J. Maguire

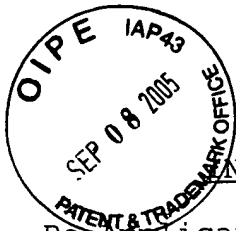
Type or print name of attorney

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Monroe CT 06468



907-153-13

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Application of :  
R. Czerwiec et al :  
Serial No. 09/942,388 : Group Art Unit: 2664  
Filed: August 29, 2001 : Examiner: Bin Quoc Nguyen  
For: TELECOMMUNICATIONS RACK INCLUDING SHELVES WITH  
NONREDUNDANT BACKPLANES USED REDUNDANTLY

Assistant Commissioner for Patents  
U.S. Patent and Trademark Office  
Washington, DC 20231

INFORMATION DISCLOSURE STATEMENT

Sir:

Applicants disclose herewith references of which they are aware, which they believe may be material to the examination of this application and which they may have a duty to disclose in accordance with 37 CFR 1.56.

While this Information Disclosure Statement may be "material" pursuant to 37 CFR 1.56, it is not intended to constitute an admission that any document referred to herein is "prior art" for this invention unless specifically designated as such.

I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Assistant Commissioner for Patents, Washington D.C. 20231.

*Margery B. Hood*  
Margery B. Hood

Dated:

*Sept. 6, 2005*

09/09/2005 SDENBOB1 00000009 09942388

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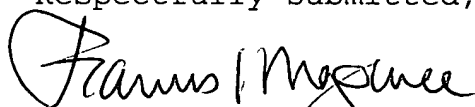
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In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement should not be construed to mean that a search has been made or that no other material information as defined under 37 CFR 1.56(a) exists.

The Moehrmann and Allegranza references are cited by the Canadian Patent Office in a copending Canadian application. Enclosed are Forms SB-08A and 08B listing the references.

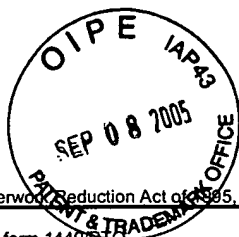
This Information Disclosure Statement is accompanied by a check in the amount of \$180 to cover filing of an IDS after examination has begun.

Respectfully submitted,



Francis J. Maguire  
Attorney for the Applicant  
Registration No. 31,391

mbh  
September 6, 2005  
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PTO/SB/08A (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449/P-10

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet 1 of 2

**Complete if Known**

Application Number	09/942,388
Filing Date	August 29, 2001
First Named Inventor	R. Czerwiec
Art Unit	2664
Examiner Name	B. O. Nguyen
Attorney Docket Number	907-153-13

**U. S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
	1	US- 4,679,227	07-07-1987	Hughes-Hartogs	
	2	US- 5,543,951	08-06-1996	Moehrmann	
	3	US- 5,625,685	04-29-1997	Allegranza et al	
	4	US- 5,805,591	09-08-1998	Naboulsi et al	
	5	US- 5,889,856	03-30-1999	O'Toole et al	
	6	US- 6,084,881	07-04-2000	Fosmark et al	
	7	US- 6,144,659	11-7-2000	Nye et al	
	8	US- 6,314,102	11-06-2001	Czerwiec et al	
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**FOREIGN PATENT DOCUMENTS**

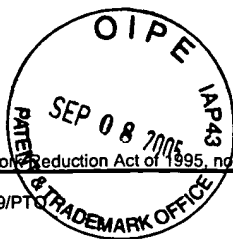
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> Number <sup>4</sup> Kind Code <sup>5</sup> (if known)				
	9	CA 2,013,390	03-28-1990	N. Dyer		
	10	WO 97/09827	05-13-1997	NEC Australia		

Examiner  
SignatureDate  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**Complete if Known****INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

Sheet

2

of

2

Application Number

09/942,388

Filing Date

August 29, 2001

First Named Inventor

R. Czerwiec

Art Unit

2664

Examiner Name

B.Q. Nguyen

Attorney Docket Number

907-153-13

**NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
	1	ANSI T1.413-1995, "Network and Customer Installation Interfaces--Asymmetric Digital Subscriber Line (ADSL) Metallic Interface".	
	2	"ADSL and VADSL Splitter Design and Telephone Performance", J. Cook et al, IEEE Journal on Selected Areas in Communications, Vol. 13, No. 9, Dec. 1995, pp. 1634-1642.	

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SignatureDate  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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